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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/451,628	11/30/1999	AVI TEPMAN	AMAT/4285/MD	9301

7590 12/03/2001
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EXAMINER

ALEJANDRO MULERO, LUZ L

ART UNIT	PAPER NUMBER
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1763

DATE MAILED: 12/03/2001

14

Please find below and/or attached an Office communication concerning this application or proceeding.

MF-14

Advisory Action

Application No.

09/451,628

Applicant(s)

TEPMAN ET AL.

Examiner

Luz L. Alejandro

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 08 November 2001 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. **ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).**

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
 2. ☐ The proposed amendment(s) will not be entered because:
 (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ they raise the issue of new matter (see Note below);
 (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☒ Applicant's reply has overcome the following rejection(s): the rejections using the Maher reference under 35 USC 102.
 4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attachment.
 6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
 7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: NONE.

Claim(s) objected to: NONE.

Claim(s) rejected: 1, 7-8, 11-16, 18-22, and 28-29.

Claim(s) withdrawn from consideration: _____

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
 9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
 10. ☐ Other: _____

GREGORY MILLS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700

Response to Arguments

Applicant's arguments filed 11-8-01 have been fully considered but they are not persuasive.

Applicant argues that Rubin et al. fails to show a chamber tray disposable adjacent each process chamber, load lock chamber, and transfer chamber, wherein each process chamber is disposable on each chamber tray. The examiner respectfully disagrees. First, it should be noted that while applicant states that these features are not shown in the Rubin et al. reference, applicant fails to state why they are not shown or why the elements shown in Rubin et al. do not show the above mentioned features. The chamber tray in Rubin et al. is clearly shown in Figure 1 by the connections relating to exhaust, inert gas, water, communications, air, vacuum, etc.. This was clearly laid out in the rejection mailed 9-27-00 and to this point has still not been contested and therefore the rejection is maintained. In addition, clearly the process chamber is disposed upon these connections and therefore the limitation that the process chamber is disposable upon the chamber tray has also been met. Furthermore, the plumbing tray is described by reference numeral 172 in Figure 1. This has also not been challenged in previous responses.

Regarding the Maher reference, the Maher reference would not be expected to reject newly amended claim 1 since claim 1 now contains claim 9 that was not rejected using the Maher reference.

With respect to Lei et al., the reference teaches that the gas delivery system uses gas lines which are only about three feet at most (see column 3, lines 57-61).

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Based on this discussion, inherently the plumbing tray will be disposed "adjacent" the processing chambers. Applicant is reminded that "adjacent" is a broad term and it is proper to interpret the word "adjacent" in its most broadest and reasonable sense. Lei et al. would not be expected to reject claim 29 since dependent claim 17 was not rejected using the Lei et al. reference.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luz L. Alejandro whose telephone number is 305-4545. The examiner can normally be reached on Monday-Thursday from 8:30-6:00 and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Mills can be reached on 308-1633. The fax phone numbers for the organization where this application or proceeding is assigned are 872-9310 for regular communications and 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 308-0661.



LLAM

November 28, 2001


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